

Vickers Charles R. (DNREC)

From: Alan Muller [amuller@dca.net]
Sent: Monday, May 01, 2006 8:48 AM
To: Vickers Charles R. (DNREC)
Subject: State Resource Area Maps

Received

MAY 05 2006

May 1, 2006

Mr. Ron Vickers
Manager, Land Preservation Office
Department of Natural Resources and Environmental Control

Division of Parks & Recreation
Division Office

Dear Ron:

Thank you for showing us the work you and your staff have done on the State Resource Area Maps. We are not familiar with all the technical and political ins-and-outs of this.

However, even a casual observer can see that Delaware's natural resources are severely threatened by the pace of "development" taking place all over the state. Given the location of Delaware, our tax structure, and other factors, these development pressures are unlikely to abate absent catastrophic natural or economic events.

"Land" is Delaware's fixed resource. Traditionally, real estate law says that the "highest and best" use of land is the most intensive development, or at least that use yielding the highest economic return. Thus, one could say that the "highest" use is to be under a skyscraper, and the "lowest" is to be a swamp.

But, we now know that from a broader ecological perspective the opposite is generally true. "Development" leads to increased runoff, decreased groundwater recharge, loss of habitat and vegetative cover, traffic, air pollution, and so on. Biological diversity is degraded. Quality of life for human residents is often also degraded. And so on.

All possible measures should be taken to protect our remaining natural resources.

We understand that a public hearing is to be held today (May 1, 2006) on the adoption of the "maps." This is to be followed by a decision by the "Open Space Council," followed by action by the Secretary of DNREC.

We understand that Delaware's three counties will then be required to adopt some form of protection for these areas.

I will not be able to attend the public hearing today, but submit these comments. Please have them read into the record.

(1) The Resource Area Maps should be adopted without substantial deletions and with additions as appropriate.

(We understand that some property owners may object to the inclusion of their parcels on these maps because they may see this as some sort of potential impediment to their ultimate development. Our response would be that the "rights" of property owners in Delaware are probably over-protected, and the "rights" of the larger community to a sustainable future are surely under-protected.)

(2) Resources should be made available for the ongoing maintenance of the mapping you have done for this project. Logically, the counties should pay for this, because they are, authorizing the land use changes and should pay for the resulting requirements. But, the most important thing is that a near-real-time GIS database be maintained so that all concerned can understand what is happening.

(3) It seems apparent to us that adoption of the proposed maps will not in and of themselves accomplish protection of natural resources,

any more than the adoption of "TMDLs" protects water quality. They seem a useful step but only part of a chain of events that needs to take place. DNREC should seek follow-through both within the Department but with the counties and other entities involved.

(4) Within DNREC, it seems to us that other programs often run counter to the objectives of this one, or fail to be enforced/implemented. For example, enforcement of wetlands protections in Delaware seems extraordinarily inadequate, not meeting either the letter or the intent of the Clean Water Act. Thus, the Secretary, in any Order regarding the proposed maps, should direct the other divisions and programs of DNREC to conduct their activities in a manner consistent with the land preservation objectives of the Department. A mechanism to make this actually happen should be created.

If these comments raise any questions please feel free to contact us.

Yours very truly,

Alan Muller

Alan Muller, Executive Director
Green Delaware
Box 69
Port Penn, DE 19731 USA
(302)834-3466
fax (302)836-3005
greendel@dca.net
www.greendel.org

Received

MAY 05 2006

Division of Parks & Recreation
Charles C. Cook